

upon to establish the dates prior to the reference were carried out in the United States or a NAFTA or WTO country.

In all other respects the evidence submitted was deemed to be sufficient to establish a date of invention prior to the filing date of the Schmid reference. In particular, as stated at page 4 of the Office Action, the Declarations of Francis E. Morris, the undersigned, were “effective for the purposes of establishing diligence between just prior to December 20, 1999 and July 21, 2000” (emphasis in Office Action) July 21, 2000 is the filing date of applicants’ provisional application.

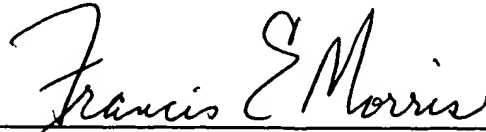
In response to the Examiner’s rejection, applicants are submitting herewith Supplemental Declarations under 37 C.F.R. 1.131 from the inventors with respect to the acts relied upon to establish their date of invention. As indicated in their earlier Declarations, the acts relied upon to establish their date of invention were the Precept LLC Company Overview dated December 13, 1999 and a Task List. The enclosed Supplemental Declarations under 37 C.F.R. 1.131 state that the Precept LLC Company Overview was prepared in the United States and that the Task List was also prepared in the United States. Thus, the Supplemental Declarations provide an allegation that the acts relied upon to establish a date of invention prior to the December 20, 1999 filing date of the Schmid reference were performed in the United States. Since the Examiner has acknowledged on page 4 of the Office Action that diligence has been established from just prior to the December 20, 1999 filing date of the Schmid reference to the filing date of applicants’ provisional application, it is respectfully submitted that the Schmid reference has been overcome.

Since the claims are rejected only on the Schmid reference, the claims are believed to be in condition for allowance. Such action is respectfully requested.

Aside from the fee for an extension of time, no additional fee is believed to be due for filing this response. However, if a fee is due, please charge such fee to Morgan, Lewis & Bockius LLP Deposit Account No. 50-0310.

Date June 27, 2006

Respectfully submitted,

A handwritten signature in cursive script, reading "Francis E. Morris". The signature is written in dark ink and is positioned above a horizontal line.

Francis E. Morris

Reg. No. 24,615

Morgan, Lewis & Bockius LLP

Customer No. 09629

(212) 309-6632